

§ 75.402-1

representative permits an exception upon his finding that such exception will not pose a hazard to the miners. All crosscuts that are less than 40 feet from a working face shall also be rock dusted.

§ 75.402-1 Definition.

The term *too wet* means that sufficient natural moisture is retained by the dust that when a ball of finely divided material is squeezed in the hands water is exuded.

§ 75.402-2 Exceptions.

Exceptions granted under § 75.402 by the Secretary or his authorized representative shall be reviewed periodically.

§ 75.403 Maintenance of incombustible content of rock dust.

[STATUTORY PROVISION]

Where rock dust is required to be applied, it shall be distributed upon the top, floor, and sides of all underground areas of a coal mine and maintained in such quantities that the incombustible content of the combined coal dust, rock dust, and other dust shall be not less than 65 per centum, but the incombustible content in the return aircourses shall be no less than 80 per centum. Where methane is present in any ventilating current, the per centum of incombustible content of such combined dusts shall be increased 1.0 and 0.4 per centum for each 0.1 per centum of methane where 65 and 80 per centum, respectively, of incombustibles are required.

§ 75.403-1 Incombustible content.

Moisture contained in the combined coal dust, rock dust and other dusts shall be considered as a part of the incombustible content of such mixture.

§ 75.404 Exemption of anthracite mines.

[STATUTORY PROVISION]

Sections 75.401, 75.402, and 75.403 shall not apply to underground anthracite mines.

30 CFR Ch. I (7-1-10 Edition)

Subpart F—Electrical Equipment—General

§ 75.500 Permissible electric equipment.

[STATUTORY PROVISION]

On and after March 30, 1971:

(a) All junction or distribution boxes used for making multiple power connections in by the last open crosscut shall be permissible;

(b) All handheld electric drills, blower and exhaust fans, electric pumps, and such other low horsepower electric face equipment as the Secretary may designate on or before May 30, 1970, which are taken into or used in by the last open crosscut of any coal mine shall be permissible;

(c) All electric face equipment which is taken into or used in by the last open crosscut of any coal mine classified under any provision of law as gassy prior to March 30, 1970, shall be permissible; and

(d) All other electric face equipment which is taken into or used in by the last crosscut of any coal mine, except a coal mine referred to in § 75.501, which has not been classified under any provision of law as a gassy mine prior to March 30, 1970, shall be permissible.

§ 75.500-1 Other low horsepower electric face equipment.

Other low horsepower electric face equipment designated pursuant to the provisions of § 75.500(b) is all other electric-driven mine equipment, except low horsepower rock dusting equipment, and employs an electric current supplied by either a power conductor or battery and consumes not more than 2,250 watts of electricity and which is taken into or used in by the last open crosscut.

§ 75.501 Permissible electric face equipment; coal seams above water table.

[STATUTORY PROVISION]

On and after March 30, 1974, all electric face equipment, other than equipment referred to in paragraph (b) of § 75.500, which is taken into and used in by the last open crosscut of any coal mine which is operated entirely in coal

seams located above the water table and which has not been classified under any provision of law as a gassy mine prior to March 30, 1970, and in which one or more openings were made prior to December 30, 1969, shall be permissible.

§ 75.501-1 Coal seams above the water table.

As used in § 75.501, the phrase "coal seams above the water table" means coal seams in a mine which are located at an elevation above a river or the tributary of a river into which a local surface water system naturally drains.

§ 75.501-2 Permissible electric face equipment.

(a) On and after March 30, 1971, in mines operated entirely in coal seams which are located at elevations above the water table:

(1) All junction or distribution boxes used for making multiple power connections inby the last open crosscut shall be permissible; and

(2) All handheld electric drills, blower and exhaust fans, electric pumps, and all other electric-driven mine equipment, except low horsepower rock dusting equipment, that employs an electric current supplied by either a power conductor or battery and consumes not more than 2,250 watts of electricity, which is taken into or used inby the last open crosscut shall be permissible.

(b) On and after March 30, 1974, in mines operated entirely in coal seams which are located at elevations above the water table, all electric face equipment which is taken into or used inby the last crosscut shall be permissible.

§ 75.501-3 New openings; mines above water table and never classed gassy.

(a) Where a new opening(s) is proposed to be developed by shaft, slope, or drift from the surface to, or in, any coalbed and the operator considers such proposed new opening(s) to be a part of a mine coming under section 305(a)(2) of the Act and § 75.501 the operator shall so notify the District Manager for the District in which the mine is located in writing prior to the date any actual development (in coal)

through such opening(s) is undertaken. Such notification shall include the following information:

(1) Name, address, and identification number of the existing mine.

(2) A current map of the existing mine clearly setting out the proposed new opening(s), mining plan and planned interconnection, if any, with existing workings.

(3) A statement as to when the operator obtained the right to mine the coal which the proposed new opening(s) will traverse.

(4) The name of the coalbeds currently being mined and those which the new opening(s) will traverse.

(5) The expected life of the mine.

(6) The reason(s) for the proposed new opening(s) (for example, haulage, ventilation, drainage, to avoid bad roof, escapeway).

The District Manager shall require submission of any additional information he considers pertinent.

(b) The District Manager shall make a determination based on all of the information submitted by the operator as to whether the proposed new opening(s) will be considered as a part of the existing mine or as a new mine. The following guidelines and criteria shall be used by the District Manager in making his determination:

(1) The effect that the proposed new opening(s) will have on the safety of the men working in the existing mine shall be considered of primary importance.

(2) Whether the operator had a right to mine the coal which the proposed new openings will traverse prior to the date of enactment of the Act (December 30, 1969) and whether the original mining plan included mining such coal.

(3) Whether, in accordance with the usual mining practices common to the particular district, the proposed new openings would have been considered a new mine or part of the existing mine. A number of factors will be considered including, but not limited to:

(i) The relationship between the coalbeds currently being mined, and those proposed to be mined;

(ii) The distance between existing openings and the proposed new opening(s);